

10191/4155

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : Michael MUNZ et al.
International Application No.: PCT/DE04/01454
International Filing Date : July 7, 2004
U.S. Serial No. : 10/563,443
For : **DYNAMOMETER ELEMENT**

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**RESPONSE TO MISSING REQUIREMENTS
UNDER 35 U.S.C. 371**

Sir:

In response to the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) mailed February 19, 2008, Applicants submit herewith a fully executed Declaration and Power of Attorney to complete the filing requirements for the U.S. national phase of the above-identified PCT application.

The application filed in the Patent Office is the application which the inventors executed by signing the Declaration and Power of Attorney. A copy of the Notification of Missing Requirements is also enclosed.

The Commissioner is hereby authorized to charge the \$130.00 fee to cover the surcharge for late filing of the Declaration to Deposit Account No. 11-0600 of **Kenyon & Kenyon LLP**. The Commissioner is also authorized to charge Deposit Account No. 11-0600 with any additional fees required by this paper or credit any overpayment. An additional copy of this letter is enclosed for this purpose.

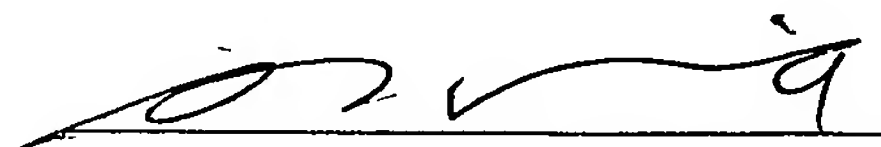
03/24/2008 LLANDGRA 00000018 110600 10563443
01 FC:1617 130.00 DA

Respectfully submitted,
KENYON & KENYON LLP

Date:

3/18/08

By:


Gerard A. Messina, Reg. No. 35,952

KENYON & KENYON LLP
One Broadway
New York, NY 10004
Tel: (212) 425-7200
Fax: (212) 425-5288

NY01 1487422 v1

Express Mail No. **EM 007638565**



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/563,443	Michael Munz	10191/4155

26646
KENYON & KENYON LLP
ONE BROADWAY
NEW YORK, NY 10004

INTERNATIONAL APPLICATION NO.

PCT/DE04/01454

I.A. FILING DATE	PRIORITY DATE
07/07/2004	

CONFIRMATION NO. 6290
371 FORMALITIES LETTER



Date Mailed: 02/19/2008

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated Office (37 CFR 1.494):

- Copy of the International Application filed on 01/03/2006
- Copy of the International Search Report filed on 01/03/2006
- Preliminary Amendments filed on 01/03/2006
- Information Disclosure Statements filed on 01/03/2006
- Oath or Declaration filed on 01/03/2006
- Request for Immediate Examination filed on 01/03/2006
- U.S. Basic National Fees filed on 01/03/2006
- Substitute Specification filed on 01/03/2006
- Non-English Language Application filed on 01/03/2006
- Specification filed on 01/03/2006
- Claims filed on 01/03/2006
- Abstracts filed on 01/03/2006
- Drawings filed on 01/03/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.

<https://portal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at **1-866-217-9197** or visit our website at <http://www.uspto.gov/ebs>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

PAULETTE R KIDWELL

Telephone: (703) 308-9140 EXT 216